

LOUISIANA MENTAL HEALTH PLANNING COUNCIL

BYLAWS

AMENDED AUGUST 4, 2008

ARTICLE I: NAME

The name of this organization shall be:
Louisiana Mental Health Planning Council
(herein: "council")

ARTICLE II: OBJECT

The object of the council shall be to serve the state of Louisiana as the mental health planning council provided for under 42 U.S.C. 300x-3 (State mental health planning council) and to exercise the following duties in connection therewith:

1. To review plans provided to the council pursuant to 42 U.S.C. 300x-4(a) by the state of Louisiana and to submit to the state any recommendations of the council for modifications to the plans;
2. To serve as an advocate for adults with a serious mental illness, children with a severe emotional disturbance, and other individuals with mental illnesses or emotional problems; and
3. To monitor, review, and evaluate, not less than once each year, the allocation and adequacy of mental health services within the state.

ARTICLE III: MEMBERSHIP

SECTION 1. STATUTORY REQUIREMENTS.

- A. The council shall be composed of residents of the state of Louisiana, including representatives of:
1. The principal state agencies with respect to mental health, education, vocational rehabilitation, criminal justice, housing, and social services; and the state agency responsible for the development of the plan submitted pursuant to title XIX of the Social Security Act (42 U.S.C. 1396 *et seq.*);
 2. Public and private entities concerned with the need, planning, operation, funding, and

use of mental health services and related support services;

3. Adults with serious mental illnesses who are receiving (or have received) mental health services; and
 4. The families of such adults or families of children with emotional disturbance.
 5. With respect to the membership of the council, the ratio of parents of children with a serious emotional disturbance to other members of the council is sufficient to provide adequate representation of such children in the deliberations of the council.
- B. At least 50 percent of the members of the council shall be individuals who are not state employees or providers of mental health services.

SECTION 2. CLASSES OF MEMBERSHIP.

Membership on the council shall be of two classes: Individual and Organizational.

1. Individual members shall be those persons who are not representatives of a state agency or a public or private entity.
2. Organizational members shall be those persons appointed from state agencies or a public or private entity.

SECTION 3. COMPOSITION.

- A. The council shall be composed of not more than 40 members.
- B. Members shall be those persons whose applications for membership are approved by the council.

SECTION 4. TERM OF SERVICE.

- A. Term of service for members shall be four years. A member who has served two consecutive terms shall not be qualified for membership until the lapse of one year. Ex officio members shall not be term limited.
- B. In the event of the death, resignation, removal, or loss of qualification for membership, the council shall fill the vacancy thus created with a properly qualified person to serve for the duration of

the former member's term.

- C. A member may be removed from the council by a majority vote with notice, a two-thirds vote without notice, or a majority of the entire membership.

ARTICLE IV: OFFICERS

SECTION 1. OFFICERS.

Officers shall be a chairman, a vice chairman, and a secretary. The chairman and vice chairman shall be members of the council.

SECTION 2. DUTIES.

Officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the council.

- A. Chairman. The chairman shall preside at meetings of the council. The council, however, may suspend this provision and elect a chairman pro tempore at any meeting. The chairman shall appoint all standing and special committees except that nothing shall prohibit the council from appointing special committees on its own motion. The chairman may appoint persons who are not members of the council to serve on any committee the chairman is authorized to appoint. The chairman shall be ex officio a member of all committees except the nominating committee, and shall have such other powers and duties as the council may prescribe.

- B. Vice chairman. The vice chairman shall serve as chairman of the committee on membership and shall perform such other duties as the council may prescribe. In the absence of the chairman from a meeting, the vice chairman shall preside unless the council elects a chairman pro tempore.

- C. Secretary. The secretary shall be the custodian of the records of the council and shall keep or cause to be kept a record of the minutes of the meetings of the council. The secretary shall maintain an indexed book containing all standing rules adopted by the council. The secretary shall also be the custodian of the council seal, and shall attest to and affix said seal to such documents as

may be required in the course of its business. The secretary may appoint an assistant secretary who shall be authorized to fulfill the duties under the direction and authority of the secretary.

SECTION 3. NOMINATION AND ELECTION.

- A. The council shall elect officers at the regular meeting in the last quarter of each even numbered year.
- B. At the regular meeting immediately preceding the election meeting, the council shall elect a nominating committee of three members. It shall be the duty of this committee to nominate candidates for the offices to be filled. The nominating committee shall report its nominees at the election meeting. Before the election, additional nominations from the floor shall be permitted.
- C. In the event of a tie, the winner may be decided by drawing lots.

SECTION 4. TERM OF OFFICE.

Officers shall serve for two years or until their successors are elected and assume office. Officers shall assume office at the end of the meeting at which they are elected.

SECTION 5. REMOVAL FROM OFFICE.

The council may remove from office any officer at any time.

SECTION 6. VACANCY.

- A. In the event of a vacancy in the office of chairman, the vice chairman shall succeed to the office of chairman.
- B. In the event of a vacancy in the office of vice chairman or secretary, the chairman may appoint a temporary officer to serve until the council elects a replacement.

ARTICLE V: MEETINGS

SECTION 1. REGULAR MEETINGS.

- A. Regular meetings of the council shall be held on the first Monday of the second month of each calendar quarter. The council

may reschedule its next regular meeting at any regular or special meeting.

B. Should a regular meeting date fall on or within three days of a state holiday, the executive committee may reschedule the meeting subject to the notice provisions required for special meetings.

SECTION 2. SPECIAL MEETINGS.

Special meetings may be called by the chairman and shall be called upon the written request of a majority of the members. The purpose of the meeting shall be stated in the call.

SECTION 3. NOTICE OF MEETINGS.

A. Notice of the hour and location of regular meetings, and notice of any change in the date, time, or place of any regular meeting shall be sent in writing to the members at least ten days before the meeting.

B. Notice of special meetings of the council shall be sent at least ten days before the date of the meeting. The notice shall state the purpose of the meeting. In the event the secretary fails to issue, within a reasonable time, a special meeting call on the request of members of the council, the members who petitioned for the call may schedule the special meeting and issue the call and notice at the expense of the council.

SECTION 4. QUORUM.

A quorum shall consist of twelve members.

ARTICLE VI: COMMITTEES

SECTION 1. EXECUTIVE COMMITTEE.

A. Composition. The chairman of the council shall be the chairman of the executive committee. The vice chairman, the secretary, and an OMH state block grant planner shall be members of the executive committee.

B. Duties and Powers. The executive committee shall, to the extent provided by resolution of the council or these bylaws, have the power to act in the name of the council. The executive committee shall fix

the hour and place of council meetings, make recommendations to the council and perform such other duties as are specified in these bylaws or by resolution of the council. But, notwithstanding the foregoing or any other provision in these bylaws, the executive committee shall not have the authority to act in conflict with or in a manner inconsistent with or to rescind any action taken by the council; to act to remove or elect any officer; to establish or appoint committees or to name persons to committees; to amend the bylaws; to authorize dissolution; or, unless specifically authorized by a resolution of the council, to authorize the sale, lease, exchange or other disposition of any asset of the council, and in no event shall it make such disposition of all or substantially all of the assets of the council.

C. Meetings. The executive committee shall meet on the call of the chairman or the three other members. Notice of at least 24 hours shall be given for any meeting of the executive committee. Executive committee members may at any time waive notice in writing and consent that a meeting be held. The executive committee is authorized to meet via teleconference or videoconference provided that all members in attendance can hear each other. A quorum of the executive committee shall be a majority of its membership.

SECTION 2. STANDING COMMITTEES.

A. The chairman of the council shall appoint the following committees:

1. Committee on Advocacy. The committee on advocacy shall report and recommend on matters involving the mental health advocacy program of the council.
2. Committee on Finance. The committee on finance shall report and recommend on matters affecting the mental health block grant funds and the council operating budget.

3. Committee on Membership. The committee on membership shall report and recommend on matters involving the membership recruiting and composition of the council.

4. Committee on Programs and Services. The committee on programs and services shall report and recommend on matters related to planning, development, monitoring, and evaluation of mental health programs and services in the state.

B. A state block grant planner shall be ex officio a member of each standing committee.

SECTION 3. DUTIES AND POWERS OF STANDING COMMITTEES.

The council shall establish such specific duties and authority for each standing committee as necessary to carry on the work of the council.

SECTION 4. OTHER COMMITTEES.

Such other committees, standing or special, may be appointed by the chairman or by the council as may be necessary to carry on the work of the council.

ARTICLE VII: PARLIAMENTARY AUTHORITY

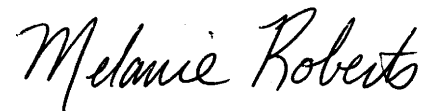
The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the council in all cases to which they are applicable and in which they are not inconsistent with these bylaws, any special rules of order the council may adopt, and any statutes applicable to the council that do not authorize the provisions of these bylaws to take precedence.

ARTICLE VIII: AMENDMENT

These bylaws may be amended at any council meeting by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting or notice of the proposed amendment is mailed to the members at least 21 days but no more than 30 days before the meeting at which the proposed amendment is to be considered. Additionally, in the case of a special meeting, notice of the proposed amendment shall be included in the call.

CERTIFICATE

I, Melanie Roberts, Secretary of the Louisiana Mental Health Planning Council, certify that the foregoing bylaws of the council are those as amended on August 4, 2008 at a regular meeting of the council.



Melanie Roberts
Secretary